

IN RE: PETITION FOR ZONING VARIANCE
NW/Corner Timber Trail Road
and Amiel Court
(1020 Timber Trail Road)
9th Election District
6th Councilmanic District
Andrew J. Akelaitis, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-65-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of September, 1988 that the Petition for Zoning Variance to permit an accessory structure (garage) to be located in the

front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

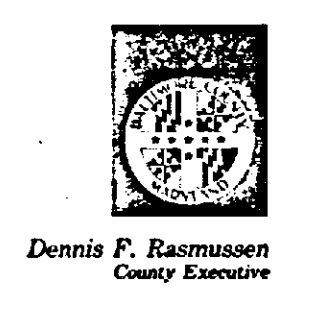
J. Robert Haines
Zoning Commissioner for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILMS
DATE 9/15/88
BY [Signature]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

September 21, 1988



Mr. & Mrs. Andrew J. Akelaitis
1020 Timber Trail Road
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/Corner Timber Trail Road and Amiel Court
(1020 Timber Trail Road)
9th Election District - 6th Councilmanic District
Andrew J. Akelaitis, et ux - Petitioners
Case No. 89-65-A

Dear Mr. & Mrs. Akelaitis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

IN DUPLICATE TO OFFICE OF...
BALTIMORE COUNTY, MARYLAND
PURCHASE ORDER NO. 149725
DATE 08/15/88
TO AVENUE INC. P.O. BOX 7809 442 EASTERN BLVD. MD 21221
SHIP TO THE ZONING OFFICE ROOM 109 COUNTY OFFICE BUILD. 111 W CHESAPEAKE AVE. TOWSON MD 21204
1110
COMMODITY NUMBER AND DESCRIPTION QUANTITY UNIT UNIT PRICE EXTENDED PRICE
5520-09-000-0004 REQ# M18663 TO ADVERTISE ZONING HEARINGS EA
5020-09-000-0025 REQ# M18663 TO ADVERTISE PETITION FOR ZONING VARIANCE CASE NUMBER: 89-65-A NW/C TIMBER TRAIL ROAD AND AMIEL COURT (1020 TIMBER TRAIL ROAD) 9TH ELECTION DISTRICT-6TH COUNCILMANIC PETITIONER(S): ANDREW J. AKELAITIS, ET UX HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 14, 1988 AT 2:30 P.M. EA
THE AVENUE ISSUES: 8/29/88
9999-99-000-0050 REQ# M18663
NOTICE: PLEASE FURNISH ORIGINAL AND ONE COPY OF CERTIFICATION OF PUBLICATION TO ROOM 113 COUNTY OFFICE BLDG. 111 WEST CHESAPEAKE AVE., TOWSON, MD. 21204
1X5.75 64 cm. 87.70
Order subject to cancellation if not delivered within time specified.
OUR PURCHASE ORDER NO. ITEM NO. AND COMMODITY NO. MUST APPEAR ON ALL PACKAGES, SHIPPING PAPERS AND INVOICES. PURCHASES HEREON ARE EXEMPT FROM MARYLAND SALES AND USE TAX - CERTIFICATE NO. 3000110.
THIS ORDER IS SUBJECT TO THE CONDITIONS AND SPECIAL INSTRUCTIONS ON THE REVERSE SIDE HEREOF INCLUDING HOLD HARMLESS CLAUSE.
DATE 8/12/88
NOT DUPLICATE THIS ORDER TO A

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS
442 Eastern Blvd. Baltimore, MD 21221
August 25, 1988
THIS IS TO CERTIFY, that the annexed advertisement of PETITIONER: ANDREW J. AKELAITIS, et ux in the matter of Zoning Variance for NW/C Timber Trail Road and Amiel Court (1020 Timber Trail Road) 9th Election District - 6th Councilmanic District, Case No. 89-65-A, P.O. 02781 Reg. # M18663 \$5 lines @ \$0.55 46.75
was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for 1 successive week(s) before the 25th day of August, 1988, that is to say, the same was inserted in the issues of August 25, 19, 88
By [Signature] per publisher
The Avenue Inc.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 9th
Date of Posting: 8/24/88
Posted for: [Signature]
Petitioner: Andrew J. Akelaitis, et ux
Location of property: NW/C Timber Trail Rd. & Amiel Ct.
1020 Timber Trail Rd.
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of return: 9/2/88

CERTIFICATE OF PUBLICATION
TOWSON, MD., Aug 25, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 25, 1988
\$35.63
THE JEFFERSONIAN,
S. Zake, Publisher
NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed amendment to the Zoning Regulations of Baltimore County, Case Number: 89-65-A, NW/C Timber Trail Road and Amiel Court (1020 Timber Trail Road) 9th Election District - 6th Councilmanic District, Petitioner: Andrew J. Akelaitis, et ux, in the matter of Zoning Variance for NW/C Timber Trail Road and Amiel Court (1020 Timber Trail Road) 9th Election District - 6th Councilmanic District, Case No. 89-65-A, P.O. 02781 Reg. # M18663 \$5 lines @ \$0.55 46.75
The hearing will be held on Wednesday, September 14, 1988 at 2:30 P.M. in Room 109 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.
The purpose of the hearing is to receive comments from the public on the proposed amendment to the Zoning Regulations of Baltimore County. Any person desiring to comment on the proposed amendment should appear at the hearing and state his or her comments to the Zoning Commission. Written comments may also be submitted to the Zoning Commission at the above address no later than September 13, 1988.
The Zoning Commission will consider the proposed amendment and make a decision thereon. The decision of the Zoning Commission will be final and not subject to appeal.

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-65-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 To permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard.
The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. CONSTRUCTION OF GARAGE BY OWNER OF PROPERTY AND STARTING OF CONSTRUCTION WITHOUT OBTAINING NECESSARY PERMITS UNLAWFUL TO THE OWNER. EVEN THOUGH ONLY 30% OF THE LOT IS A HARDWARE MATERIAL INCURRED TO A MAINTENANCE REMOVAL OF CONCRETE AND
2. STRUCTURE IS JUST ON FRONT YARD OF HOUSE, HOWEVER HOUSE FRONT IS FACING TO REAR OF PROPERTY AND NOT FROM STREET
3. THERE ARE NO OTHER PROPERTY OWNERS BUILDING WITHIN 400 FEET OF STRUCTURE
4. STRUCTURE IS OBTAINED BY WOODS AREA
5. ADDITIONAL GARAGE/PAVE IS NEEDED TO ACCOMMODATE AUTOMOBILE N 45,490
Property is to be posted and advertised as prescribed by Zoning Regulations. E 16,040
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s): ANDREW J. AKELAITIS (Type or Print Name)
Signature: [Signature]
CAROL AKELAITIS (Type or Print Name)
Signature: [Signature]
1030 TIMBER TRAIL ROAD 821-6677 (Address) Phone No.
TOWSON MD 21204 (City and State)
Name, address and phone number of legal owner, contractor purchaser or representative to be contacted
Name: [Signature]
Address: [Signature] Phone No.: [Signature]
ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County, on the 14th day of September, 1988, at 2:30 o'clock P.M.
J. Robert Haines
Zoning Commissioner of Baltimore County.

LOCATED ON THE NORTHWEST CORNER OF TIMBER TRAIL RD AND AMIEL COURT
BEING KNOWN DESIGNATED AS LOT NO 13 ON FINAL SUBDIVISION PLAT OF PLAT AND 1/4 SECTION 18, TOWSON PLAT IS ACCURATELY AMONG THE LAND RECORDS OF BALTO CO IN PLAT BOOK 284 AND 42, P. 42.
THIS SURVEY IS FOR TITLE PURPOSES ONLY. IT IS NOT INTENDED FOR USE IN THE ESTABLISHMENT OF PROPERTY LINES. THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY AND/OR COVENANTS OF RECORD.
I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS SHOWN ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY FIELD SURVEY AND ARE LOCATED AS SHOWN.
WILLIAM T. MATTHEWS
PROPERTY LINE SURVEYOR
WILLIAM T. MATTHEWS, LLC, 114 134
HOUSE LOCATION PLAT FOR LOT 13, FINAL SUBDIVISION PLAT OF PLAT ONE "HAMPTON FOREST."
ELECTION DISTRICT 9 BALTO. CO. MD.
SCALE: 1"=100' DATE: 5-29-85
THE SUGARMAN ORGANIZATION 120 JUDGES LANE, TOWSON, MD.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 8/30/88



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Andrew J. Akelaitis
1020 Timber Trail Road
Towson, Maryland 21204

Re: Petition for Zoning Variance
CASE NUMBER: 89-65-A
NW/4 Timber Trail Road and Aniel Court
(1020 Timber Trail Road)
9th Election District - 8th Councilmanic
District(s): Andrew J. Akelaitis, et ux
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 14, 1988 at 2:30 p.m.

Dear Mr. & Mrs. Akelaitis:
\$97.38 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 059115
DATE: 8/30/88 ACCOUNT: 89-65-000
AMOUNT: \$ 97.38
RECEIVED FROM: Andrew J. Akelaitis
FOR: Posting & Advertising
VALIDATION OR SIGNATURE OF CASHIER

post set(s), there each set not

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ner of

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: July 26, 1988

FROM: P. David Fields, Director Office of Planning and Zoning

SUBJECT: Zoning Petitions #89-20-A, 89-59-A, 89-55-A, 89-60-A, 89-61-A, 89-64-A, 89-65-A, 89-83-A, 89-66-SpA

There are no comprehensive planning factors requiring comment on the subject petitions.

P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J.G. Howell
Zoning File

RECEIVED
JUL 28 1988
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 19, 1988

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-65-A
NW/4 Timber Trail Road and Aniel Court
(1020 Timber Trail Road)

9th Election District - 8th Councilmanic District(s): Andrew J. Akelaitis, et ux
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 14, 1988 at 2:30 p.m.

Variance to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Andrew J. Akelaitis, et ux
File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 31, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo

Mr. & Mrs. Andrew J. Akelaitis
1020 Timber Trail Road
Towson, MD 21204

RE: Item No. 459 Case No. 89-65-A
Petitioner: Andrew J. Akelaitis, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Akelaitis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:acj

Enclosures

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

July 15, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

Re: Property Owner: Andrew J. Akelaitis, et ux

Location: NW/4 Timber Trail Road and Aniel Ct.

Item No.: 459 Zoning Agenda: Meeting of 7/5/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

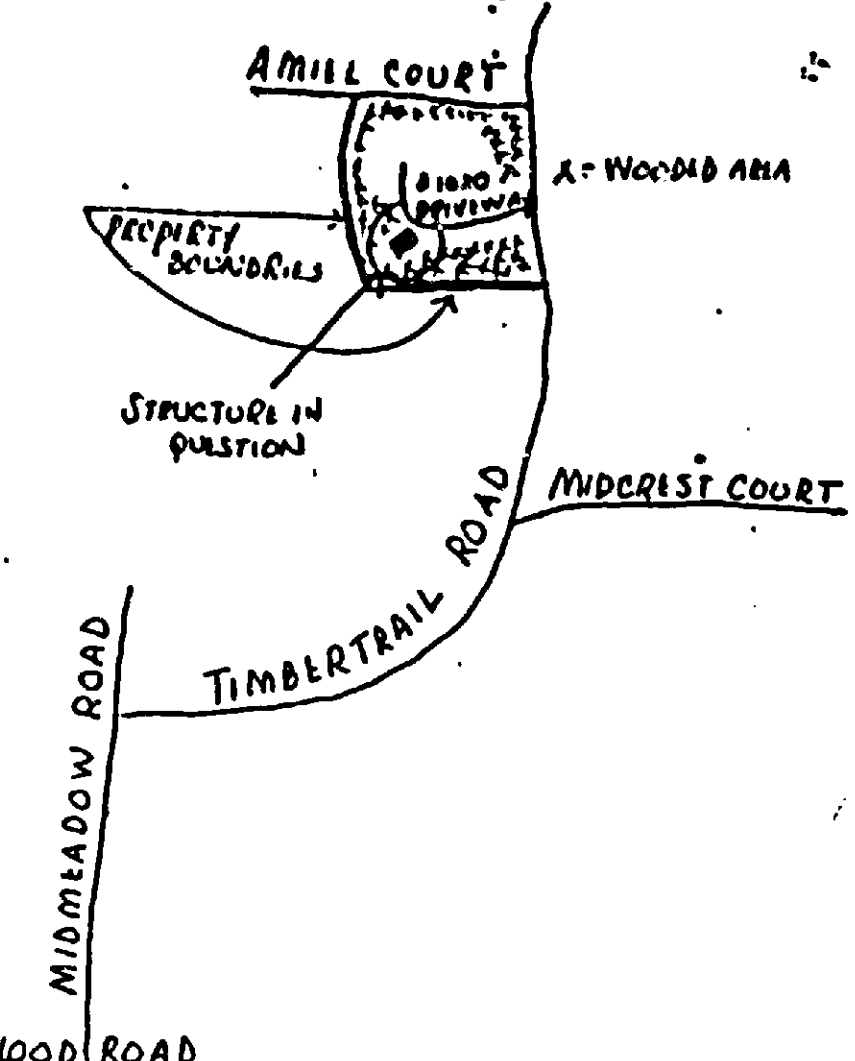
() 6. Site plans are approved, as drawn.

(x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] 7-15-88 Noted and Approved: [Signature] Fire Prevention Bureau
Special Inspection Division

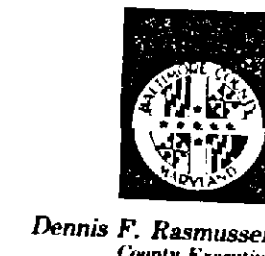
/s/

VICINITY MAP



Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

July 25, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 458, 459, 460, 462, 464, 465, 467, 468, 470, and 471.

Very truly yours,

[Signature]
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEN/RP/cps

89-65-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 6th day of July, 1988.

[Signature]
J. Robert Haines
ZONING COMMISSIONER

Petitioner: Andrew J. Akelaitis, et ux Received by: James E. Dyer
Petitioner's Attorney: [Signature] Chairman, Zoning Plans Advisory Committee